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**PDF PAGE 1, COLUMNS 1,  
3, 4, 5 & 7**

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**PDF PAGE 1, COLUMN 1**

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***FRANK TRIAL JUROR DENIES  
CHARGE OF BIAS***

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**PDF PAGE 1, COLUMN 3**

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# **Slaton Sets Days For Clemency Pleas**

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Governor Slaton has promulgated a rule that hereafter petitions for clemency will be heard in the executive offices on the fourth Thursday and Friday of each month.

The Governor is forced to the adoption of this rule in order to find time for other public business.

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**PDF PAGE 1, COLUMNS 4 &  
5**

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**TWO FRANK  
JURORS  
CHARGED  
WITH BIAS**

**J. A. HENSLEE  
MARCELLUS JOHENNING**

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**PDF PAGE 1, COLUMN 4**

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**Court to  
Relieve**

# Congestion at Jail

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In order to alleviate the crowded condition of the Fulton County jail. Judge Calhoun of the Criminal Court of Atlanta, will open court next Monday in the room occupied by Judge Bell. Judge Bell will retire to his chambers and there hear cases in which juries are not necessary.

Judge Hill will open the Superior Court in the Thrower Building.

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**PDF PAGE 1, COLUMN 7**

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**SOLICITOR  
CERTAIN TO  
GET DELAY IN  
WHICH**

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# TO PREPARE EVIDENCE

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With the prospect Thursday of a postponement of the hearing of the Frank motion for a new trial when it comes up Saturday, there came also the positive assurance that Solicitor Dorsey would have absolute denials from the two jurors charged with prejudice in the motion.

Marcus Johenning, No. 161 Jones avenue, one of the jurors, declared Thursday that the accusation was a complete falsehood.

"I served on that the jury because I did not want to try to be out of doing so," said Johenning, "even though I would gladly have escaped the work. And now, to accuse me of having told a falsehood in secure the month's service is rank injustice."

"I lost money through neglect of my business, and there was not a man on the jury who had anything to gain, other than to do his duty as a citizen. If there are any persons who have made affidavits that we did not do Frank justice, they have lied outright."

"I don't know anything about the affidavit but what I saw in the papers," added Johenning. "Solicitor Dorsey has not notified me that there was any such affidavit. If there is one it is absolutely false."

"I made no utterances before the trial that would disqualify me for jury service. Friday before the case was called, I was informed that I had been drawn as a talseman. I did not mention that to anyone but my business partner, and that was for business reasons."

"I went to the trial absolutely impartial. My mind was unprejudiced. I was in the attitude of demanding that the State prove its case."

"I would have gladly avoided serving that month on the jury, and the only reason I did serve was because I did not want to lie out of it."

"As soon as I can see the affidavit we will show that is flimsier than the paper on which it is written."

### **Henslee's Friends Tell of Denial.**

J. A. Henslee, a travelling salesman and second juror charged with having been prejudiced, has moved to Barnesville since the end of the Frank trial. However, his Atlanta friends Thursday declared that he had made strenuous denials to them of the accusation when became public some time ago.

The last doubt about the postponement was removed following a statement of Solicitor Dorsey, who declared that it would take him from now until Saturday and perhaps longer to check up the brief of evidence alone.

The Solicitor added however, that he would plunge into the subject immediately with the view of preparing his answer at the earliest possible moment. Although he refused to venture an assertion as to the length of the delay, it is believed that the hearing will be postponed longer than one week.

The judge has it in his power to proceed with the hearing regardless of the many requests of the Solicitor or the defense but it is certain the no such ruling will be invoked Saturday.

"The motion has not been served on me," said Mr. Dorsey Wednesday morning, "but without regard to the amended motion, it will take me from now until Saturday, even longer to check up the brief of evidence alone."

“The evidence is quite a bulky affair, as it is contained in nine volumes, each one of which must be examined with the utmost care.”

### **Huge Task Checking Evidence.**

“Although it had been announced that the amended motion would be placed in the Solicitor’s hands Wednesday at noon, this was found to be impossible because of the magnitude of the work of checking up the evidence. Attorney Rosser’s clerks worked all the afternoon in an effort to get in to the Solicitor Thursday morning. It probably will be in Mr. Dorsey’s hands before noon Thursday.”

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## **PDF PAGE 2, COLUMNS 1 & 8**

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### **PDF PAGE 2, COLUMN 1 FELLOW FRANK JURORS DEFEND ACCUSED MEN**

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### **PDF PAGE 2, COLUMN 8**

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## **ALL BRAND CLAIM OF BIAS AS**

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# **‘BOSH’**

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**Trial Fair, Judge Impartial,  
Cheers**

**Unheeded, Declare Panel  
Who**

**Convicted Factory Head.**

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Fellow members of the jury which found Leo M. Frank guilty of the murder of Mary Phagan at the National Pencil Factory on April 26t and strongly Friday morning in defense of the jurors accused of bias and prejudice by the defense in its question for a new trial.

In the hearing of the motion of the defense, which is called before Judge Roan Saturday, it is probable that Solicitor Dorsey, in combatting the move for a new trial, will present statements and affidavits from every member of the jury, denying the charges of prejudice.

## **Brands Charges as untrue.**

F. E. Winburn, claim agent for the Atlanta and West Point Railroad, one of the Frank jury, brands as untrue the charges made by the defense.

“I do not believe there was a man on the jury that found Frank guilty but who voted for the verdict because the evidence made the guilt of the factory superintendent plain,” Mr. Winburn said. “The charges that the jury was prejudiced are untrue. There was no doubt in my mind when all the evidence had been heard.”

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"I heard no cheering; neither was I prejudiced. When I served on the jury I sacrificed my own interests, but I did my duty as a citizen. The trial was fair. I thought Judge Roan more than fair in his rulings. So far as I am concerned, I want to say that the verdict was fair, and could not have been otherwise than what it was."

### **Defends Fellow Jurors.**

I have tried to keep out of the argument because I was not attacked personally by the attorneys for the defense, but I agree heartily with the statements of Mr. Jennings as published in yesterday's Georgian. While I did not know any of the other jurors to the trial, my association with them for that 29-day period satisfied me they all men of honor and integrity."

A. L. Wisbey, cashier at the Buckeye Cotton Oil company, would make no extended comment on the case.

"I was influenced no one," he declared. "I heard no cheering. I think the trial was as fair as was ever given to any man. I believe Judge Roan was fair, and I think each man on the jury voted Frank guilty because he could not do otherwise on the evidence submitted."

Charles J. Bosshardt, an employee of the Foote-Davis Company, characterized the charges of bias and prejudice as "bosh."

### **Denies He Was Prejudiced.**

"And I see no reason why Frank should be given a new trial," he added. "I heard none of the alleged cheering, and I was not influenced in any way, by anyone or anything. The members of the jury seemed to me to be gentlemen, and certainly they were intelligent."

Judge Roan, I think, is a fine man, and I have never seen a fairer judge. I never was prejudiced against Frank. I tried to give him the benefit of the doubt in my own mind all the time. I say it was all fair and square, and that the charges that some of the jurors were influenced by this and that are all bosh."

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**PDF PAGE 3, COLUMNS 1 &  
8**

**PDF PAGE 3, COLUMN 1  
FRANK JURY DECLARES  
TRIAL FAIR**

**PDF PAGE 3, COLUMN 8**

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**ALL  
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The jury was a unit in declaring that Frank received as fair in declaring that Frank received as fair a trial as any man ever

received in Georgia, in defending the rulings of Judge L. S. Roan—which they declared vehemently were more than fair to Frank’s cause—and all of them denied emphatically that they were influenced or prejudiced by the cheering and other incidents of the trial on which the defense based its motion for a new trial.

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“I do not believe there was a man on the jury that found Frank guilty but who voted for the verdict because the evidence made the guilt of the factory superintendent plain.” Mr. Winburn said, “The charges that the jury was prejudiced are untrue. Thaws noy mind when all the evidence had been heard.”

“I heard no cheering; neither was I prejudiced. When I served on the jury I sacrificed my own interests, but I did my duty as a citizen. The trial was fair. I thought Judge Roan more than fair in his rulings. So far as I am concerned, I want to say that the verdict was fair, and could not have been otherwise than what it was.”

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“I have tried to keep out of the argument because I was not attacked personally by the attorneys for the defense, but I agree heartily with the statement of Mr. Johnning as published in yesterday’s Georgian. While I did not know any of the other jurors prior to the trial, my association with them for that 29-day period satisfied me they are all men of honor and integrity.”

A. L. Wisbey, cashier at the Buckeye Cotton Oil Company, would make no extended comment on the case.

“I was influenced by no one,” he declared. “I heard no cheering. I think the trial was as fair as was ever given to any man. I believe Judge Roan was fair, and I think each man on the jury voted Frank guilty because he could not do otherwise on the evidence submitted.”

Charles J. Bosshardt, an employee of the Foote-Davis Company, characterized the charges of bias and prejudice as “bosh.”

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“And I see no reason why Frank should be given a new trial,” he added. “I heard none of the alleged cheering, and I was not influenced in any way, by any one or anything. The members of the jury seemed to me to be gentlemen, and certainly they were intelligent.”

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“And I see no reason why Frank should be given a new trial,” he added. “I heard none of the alleged cheering, and I was not influenced in any way, by any one or anything. The members of the jury seemed to me to be gentlemen, and certainly they were intelligent.”

“Judge Roan, I think, is a fine man, and I have never seen a fairer judge. I never was prejudiced against Frank. I tried to give him the benefit of the doubt in my own mind all the time. I say it was all fair and square, and that the charges that some of the jurors were influenced by this and that are all bosh.”

F. L. V. Smith, No. 481 Cherokee

# **CHARGES OF BIAS**

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ASSERTS**

**FRANK JURY**

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**Fellow Members Unite in  
Defense**

**Of Men Accused of  
Prejudice**

**By the Defense.**

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### **Continued From Page 1.**

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avenue denied emphatically that the jury was prejudiced.

“The charge that the Frank jury was prejudiced is utterly untrue,” said he. “I can say with positive certainty, speaking not only for myself, but for the entire jury, that each man did his duty as he saw it, and that the verdict was reached fairly and impartially.”

“We were not influenced by the cheering, and could not have been, because we were always in the anteroom, and could not tell which side was being cheered. The deputies told us absolutely nothing. I am not versed in the technicalities of the law, but it seems to me that Leo Frank had a fair trial as he possibly had.”

### **Higdon Also Emphatic.**

J. F. Higdon, of No. 108 Ormewood avenue, was no less positive in his denial that the jury was prejudiced against Frank.

“The jury was certainly not prejudiced in any way,” he said. “The trial was as fair as it could have been. We were not influenced by the cheering, one way or the other. I can see no reason why Frank should be given a new trial.”

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**PDF PAGE 4, COLUMNS 1,  
5, & 8**

**PDF PAGE 4, COLUMN 1**

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**SENSATIONAL CHARGE IN  
FRANK CASE**

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**Says Juror Declared Eagerness to  
Hang Accused**

**PDF PAGE 4, COLUMN 5, 6,  
& 7**

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**CHARGES  
PREJUDICE  
AGAINST FRANK  
JUROR**

**C. P. STOUGH.**

**PDF PAGE 4, COLUMN 8**

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**PREJUDIC  
E DENIED  
BY  
THOSE ON  
PANEL**

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C. P. Stough Deposes That  
A. H.



# Henslee Showed Animus Be- fore Being Drawn.

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With members of the Frank trial jury rallying to the defense of their comrades accused of bias and prejudice, the revelation was made Friday that, in a sealed deposition to be used by the defense. A. A. Henslee, one of the jurors, is accused of having made this statement before he was chosen as one of the twelve men to try the factory superintendent:

“I believe Frank is guilty, and would like to be in a position to break his neck.”

The man who swears that the accused juror made this statement, in spite of the fact that he swore of being unprejudiced when questioned as a talesman, is C. P. Stough, organize of the Masons' Annuity and a well-known business man.

## **Affidavit To Be Feature.**

His affidavit will play an important part in the fight for Frank's life, which opens Saturday before Judge Roan, which very likely will be postponed at that time. Solicitor Dorsey undoubtedly will ask for time in which to examine the volumes of contentions made by the defense in their plea charging 115 errors.

Mr. Dorsey, it is understood, will make an immediate demand for the affidavits against Henslee and Johenning, who also is alleged to have uttered remarks that showed prejudice before the trial began.

Mr. Stough spoke reluctantly to a Georgian reporter as to the contents of the affidavit he had made regarding Henslee.

## **Forced to Make Statement.**

"I dislike very much to be brought into it, and was really literally forced into making it. I at first refused, but was summoned and was compelled to make it. The affidavit tells of a conversation I had with Mr. Henslee while riding to town on a street car one morning several weeks before the trial. At that time he, of course, did not know that he was to be summoned as a juror."

"He asked me what I thought of Frank, and I said I believed he was guilty. I believe he is guilty, too, and would like to be in a position to break his neck,' he replied."

Mr. Stough resides at No. 115 Holderness street, and says he frequently rode to town with Henslee. Since the trial Henslee has moved to Barnesville, but is said to have denied the words alleged to have been spoken by him.

### **Kept the Matter Quiet.**

"When the Frank jury was selected I told my wife of Mr. Henslee's remarks, but not wishing to get mixed in the matter, kept it quiet and told no one else," continued Mr. Stough. "Shortly after the completion of the trial I was in Royston and told a friend of mine and, without my knowledge, he informed Mr. Rosser. Two of Mr. Rosser's men came to see me and worried me for two weeks, but I declined to give them any information."

"I then received a summons from Judge Bell's court instructing me to go before S. N. Teitlebaum, commissioner, and was compelled to go. I have known Mr. Henslee for a long time and like him very well, but his words to me indicated prejudice. His

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**Continued From Page 1.**

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## **PDF PAGE 5, COLUMN 1**

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**SWEARS JUROR WAS EAGER TO  
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**Continued on Page 2, Column 1.**

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**PDF PAGE 11, COLUMN 1**

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# **CHARGES OF BIAS BOSH, ASSERTS FRANK JURY**

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# **Fellow Members Unite in Defense Of Men Accused of Prejudice By the Defense.**

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**Continued From Page 1.**

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**PDF PAGE 6, COLUMNS 3 &  
8**

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**PDF PAGE 6, COLUMN 3**

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## **Affidavit To Be Feature.**

His affidavit will play an important part in the fight for Frank's life, which opens Saturday before Judge Roan, which very likely will be postponed at that time. Solicitor Dorsey undoubtedly will ask for time in which to examine the volumes of contentions made by the defense in their plea charging 115 errors.

Mr. Dorsey, it is understood, will make an immediate demand for the affidavits against Henslee and Johenning, who also is alleged to have uttered remarks that showed prejudice before the trial began.

Mr. Stough spoke reluctantly to a Georgian reporter as to the contents of the affidavit he had made regarding Henslee.

## **Forced to Make Statement.**

“I dislike very much to be brought into it, and was really literally forced into making it. I at first refused, but was

summoned and was compelled to make it. The affidavit tells of a conversation I had with Mr. Henslee while riding to town on a street car one morning several weeks before the trial. At that time he, of course, did not know that he was to be summoned as a juror.”

“He asked me what I thought of Frank, and I said I believed he was guilty. ‘I believe he is guilty, too, and would like to be in a position to break his neck,’ he replied.”

Mr. Stough resides at No. 115 Holderness street, and says he frequently rode to town with Henslee. Since the trial Henslee has moved to Barnesville, but is said to have denied the words alleged to have been spoken by him.

### **Kept the Matter Quiet.**

“When the Frank jury was selected I told my wife of Mr. Henslee’s remarks, but not wishing to get mixed in the matter, kept it quiet and told no one else,” continued Mr. Stough. “Shortly after the completion of the trial, I was in Royston and told a friend of mine and, without my knowledge, he informed Mr. Rosser. Two of Mr. Rosser’s men came to see me and worried me for two weeks,

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**Continued on Page 2, Column 1.**

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**PDF PAGE 11, COLUMN 1**

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# **CHARGES OF BIAS**

# **BOSH, ASSERTS FRANK JURY**

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**Fellow Members Unite in  
Defense  
Of Men Accused of  
Prejudice  
By the Defense.**

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**Continued From Page 1.**

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but I declined to give them any information.

“I then received a summons from Judge Bell’s court instructing me to go before S. N. Teitlebaum, commissioner, and was compelled to go. I have known Mr. Henslee for a long time and like him very well, but his words to me indicated prejudice. His words did not have the intimation that he would like to be on the jury, but I took them to understand that he meant he would

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like to be with a crowd who would take charge of Frank. He simply said, 'I would like to be in a position to break his neck,' and that was all."

### **Dorsey to Ask Publicity.**

When the hearing of the motion for a new trial is called before Judge Roan. Solicitor Dorsey, it is understood, will request the court to require the defense to submit in open court the affidavits of the alleged bias of jurors.

Following this request, Mr. Dorsey will request a two weeks' postponement of the hearing in order to give him time to check up the brief of evidence and examine the amendment to the motion offered by the defense.

Mr. Dorsey declared Friday that he was looking into the legality of having jurors the affidavits with him regarding their alleged unbias in rendering the Frank verdict. This point probably will be settled in court Saturday morning.

The court has it in its power to refuse this request and order both prosecutor and defense to proceed with the hearing, but there is little likelihood that this will be done in view of the fact that the Solicitor has had but two days in which to examine the evidence following the filing of the amended motion Wednesday.

### **Hooper Aids Solicitor.**

Mr. Dorsey was busily engaged Friday in examining the brief of evidence. This voluminous record, as pointed out by Mr. Dorsey, is about 14 inches in height and is contained in seven volumes. The entire record, including the amended motion, is something like 22 inches in height.

Attorney Hooper, who assisted Mr. Dorsey in the prosecution of Frank, is also relaying with the Solicitor in examining the brief of evidence.

The jury was a unit in declaring that Frank received as fair a trial as any man ever received in Georgia, in defending the rulings

of Judge L. S. Roan—which they declared vehemently were more than fair to Frank’s cause – and all of them denied emphatically that they were influenced or prejudiced by the cheering and other incidents of the trial on which the defense, based its motion for a new trial.

### **Brands Charges as Untrue.**

F. E. Winburn, claim agent for the Atlanta and West Point Railroad, one of the Frank jury, brands as untrue the charges made by the defense.

“I do not believe there was a man on the jury that found Frank guilty but who voted for the verdict because the evidence made the guilt of the factory superintendent plain,” Mr. Winburn said. “The charges that the jury was prejudiced are untrue. There was no doubt in my mind when all the evidence had been heard.”

“I heard no cheering; neither was I prejudiced. When I served on the jury I sacrificed my own interests, but I did my duty as a citizen. The trial was fair. I thought Judge Roan more than fair in his rulings. So far as I am concerned, I want to say that the verdict was fair, and could not have been otherwise than what it was.”

### **Defends Fellow Jurors.**

“I have tried to keep out of the argument because I was not attacked personally by the attorneys for the defense, but I agree heartily with the statement of Mr. Jochenning as published in yesterday’s Georgian. While I did not know any of the other jurors prior to the trial, my association with them for that 29-day period satisfied me they are all men of honor and integrity.”

A. L. Wisbey, cashier at the Buckeye Cotton Oil Company, would make no extended comment on the case.

“I was influenced by no one,” he declared. “I heard no cheering. I think the trial was as fair as was ever given to any man. I believe Judge Roan was fair, and I think each man on the jury voted Frank guilty because he could not do otherwise on the evidence submitted.”

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Charles J. Bosshardt, an employee of the Foote-Davis Company, characterized the charges of bias and prejudice as "bosh."

"And I see no reason why Frank should be given a new trial," he added. "I heard none of the alleged cheering, and I was not influenced in any way, by any one on anything. The members of the jury seemed to me to be gentlemen, and certainly they were intelligent."

"Judge Roan, I think, is a fine man, and I have never seen a fairer judge, I never was prejudiced against Frank, I tried to give him the benefit of the doubt in my own mind all the time. I say it was all fair and square, and that the charges that some of the jurors were influenced by this and that are all bosh."

F. L. V. Smith, No. 481 Cherokee avenue, denied emphatically that the jury was prejudiced.

"The charge that the Frank jury was prejudiced is utterly untrue," said he. "I can say with positive certainty, speaking not only for myself, but for the entire jury, that each man did his duty as he saw it, and that the verdict was reached fairly and impartially."

"We were not influenced by the cheering and could not have been because we were always in the anteroom, and could not tell which side was being cheered. The deputies told us absolutely nothing. I am not versed in the technicalities of the law, but it seems to me that Leo Frank had as fair trial as he possibly could have had."

J. F. Higdon, of No. 108 Ormewood avenue, was no less positive in his denial that the jury was prejudiced against Frank.

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"The jury was certainly not prejudiced in any way," he said. "The trial was as fair as it could have been. We were not influenced by the cheering, one way or the other. I can see no reason why Frank should be given a new trial."